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9  
10 **UNITED STATES DISTRICT COURT**  
11 **CLARK COUNTY, NEVADA**

12 **UNITED STATES OF AMERICA,**

13 CASE No.: 2:21-CR-00156-JCM-VCF-1

14 Plaintiff,

15 **STIPULATION TO EXTEND REPLY DEADLINE TO**  
16 **MITCHELL'S REPLY TO GOVERNMENT'S**  
17 **OPPOSITION TO MOTION TO SUPPRESS [ECF NO.**  
18 **56]**

19 **TREVION DARNELL MITCHELL,**

20 **(FIFTH REQUEST)**

21 Defendant.

22  
23 **IT IS HEREBY STIPULATED BY AND BETWEEN** Defendant TREVION  
24 DARNELL MITCHELL, by and through his counsel, LANCE J. HENDRON, ESQ. of the  
25 Law Firm HENDRON LAW GROUP, LLC, and Plaintiff, United States of America, by and  
26 through Jason M. Frierson, United States Attorney and Kenneth Nicholas Portz, Assistant  
27 United States Attorney, that the due date for Mitchell's Reply to Government's Opposition to  
28 Motion to Suppress [ECF 56] be extended from September 14, 2022 to September 30, 2022.

29 The Stipulation is entered into for the following reasons:

30  
31 1. Counsel for Defendant was recently appointed to this matter in place of prior  
32  
33 counsel that prepared the motion to suppress.

34  
35 2. Although this is the Fifth Request to extending the reply brief, this is newly  
36 appointed counsel's first request to extend the reply's deadline.

37  
38 3. The defendant is incarcerated and does not object to the extension.

1           4. The parties agree to the extension.  
2           5. The additional time requested herein is not sought for purposes of delay, but merely  
3           to allow counsel for defendant the ability to become acquainted with the matter and  
4           briefing on the motion to suppress and government's opposition to the motion.  
5           6. Additionally, denial of this request for continuance could result in a miscarriage of  
6           justice. The additional time requested by this Stipulation is excludable in  
7           computing the time within which the trial herein must commence pursuant to the  
8           Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering  
9           the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv)  
10           investigation of the discovery materials provided. This is the first stipulation to be  
11           filed herein.

15           DATED this 16th day of September, 2022.

16           Respectfully Submitted,

18           \_\_\_\_\_  
19           /s/ Lance J. Hendron, Esq.  
20           Lance J. Hendron, Esq.  
21           Attorney for Defendant

21           \_\_\_\_\_  
22           /s/ Nicholas Portz  
23           Jason M. Frierson  
24           United St Attorney  
25           Kenneth Nicholas Portz  
26           Assistant Untied States Attorney

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**UNITED STATES DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

20 **UNITED STATES OF AMERICA,**

21 CASE No.: 2:21-CR-00156-JCM-VCF-1

22 Plaintiff,

23 vs.

24 **TREVION DARNELL MITCHELL,**

25 Defendant.

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**FINDINGS OF FACTS, CONCLUSION OF LAW AND ORDER**

29 Based on the pending Stipulation of Counsel, and good cause appearing therefore, the  
30 Court finds:

31 1. Counsel for Defendant was recently appointed to this matter in place of prior  
32 counsel that prepared the motion to suppress.

33 2. Although this is the Fifth Request to extending the reply brief, this is newly  
34 appointed counsel's first request to extend the reply's deadline.

35 3. The defendant is incarcerated and does not object to the extension.

36 4. The parties agree to the extension.

37 5. The additional time requested herein is not sought for purposes of delay, but merely  
38 to allow counsel for defendant the ability to become acquainted with the matter and  
39 briefing on the motion to suppress and government's opposition to the motion.

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6. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section 3161(h)(7)(B)(i), (iv) investigation of the discovery materials provided. This is the first stipulation to be filed herein.

## ORDER

**IT IS HEREBY ORDERED** that the Defendant herein shall have to and including September 30, 2022, to file his reply to Government's Opposition to Motion to Suppress [ECF 56].

**DATED** this 19<sup>th</sup> day of September, 2022.

## UNITED STATES MAGISTRATE JUDGE